REMARKS

The Office Action mailed December 17, 2008 notes that claims 1-6, 8-9, 11-17, and 19-24 are pending and rejects claims 1-6, 8-9, 11-17, and 19-24. Claims 11 and 24 are amended. No claims are cancelled. No new claims are added. No new matter is believed to be presented.

Claims 1-6, 8-9, 11-17, and 19-24 are pending and under consideration. Reconsideration is respectfully requested. The Office Action's rejection is traversed below.

Rejection under 35 U.S.C. § 103

The Office Action, on page 2, rejects claims 1-6, 8-9, 11-17, and 19-24 under 35 U.S.C. § 103(a) as being unpatentable over Buxton et al. (US 6,115,025) in view of Daily et al. (US 6,198,462). This rejection is respectfully traversed below.

The Office Action, on page 3, admits that Buxton is silent regarding specifying a graphical user interface that includes first and second interface elements, with changeable viewpoint. However, the Office Action asserts that Daily teaches the above features in column 4, lines 43-51.

Daily discusses a computerized data display system including a computer operating with a window display management system for displaying and controlling a number of data windows in relation to a field of view. A user's head coupled to the display device provides input to selectively change the view. As a user moves his head, an input position sensor 24 coupled to the computer uses a head tracking position sensor 26 worn on the head as part of the head mounted display having six degrees of freedom of movement (x, y, z, roll, pitch, and yaw axes). The display mounted on the head of the user having two separate display screens displaying a display to each eye of the user changes based on the movement of the user's head. A virtual screen display buffer is larger than the currently visible display, and when the user moves his head, a new portion of the frame buffer is scrolled into the field of view for each eye. An example size of the virtual display screen is 32,000x32,000 virtual pixels, and a user can only see a portion of the display at one time based on a current position and the movement of the user's head. Daily specifically notes that its advantages are related to increasing resolution beyond what state of the art physical displays can achieve and the ability to see windows that are "offscreen" to the monitor. (See Daily, Abstract, column 4, lines 43-51, column 5, lines 9-17 and lines 40-57, column 3, lines 24-25 and 43-49).

In light of the above discussion, it is respectfully submitted that Daily and Buxton, taken alone or in combination, do not teach "the first graphical user **interface part is automatically reoriented** relative to the display in accordance with a change to viewpoint orientation/location information of the display; and allowing the second graphical user interface part to remain in a same orientation relative to the display regardless of the change to the viewpoint orientation/location information of the display." As discussed above, in Daily, a user can only view a portion of the entire display at one time. The portion of the display which is visible is based upon a current viewpoint. A user can view another portion of the display by moving their head. In other words, the data available in the frame buffer changes, and a user sees a varying part of the entire view as a user moves his head.

However, Daily does not teach "the first graphical user **interface part is automatically reoriented relative to the display in accordance with a change in viewpoint** orientation/location information of the display" and "allowing the second graphical user interface part to remain in a same orientation relative to the display regardless of the change to the viewpoint." In Daily, parts of the view simply move in and out of the user's view available in the head mounted display. In particular, Daily is silent regarding **reorienting** a first part of the graphical user interface. One of ordinary skill in the art at the time of invention, would understand the word "reorienting" in the context of this Application to require a movement or rotation of the first graphical interface part. (See Application, paragraph [0038]). However, the windows making up the entire view discussed in Daily do not reorient, or rotate relative to the change in viewpoint, rather a different portion of the frame buffer is brought in view as the user moves his head. Because the Office Action admitted that Buxton does not disclose this feature, Daily and Buxton, even in combination, do not teach all recited features present in claim 1. Thus claim 1 patentably distinguishes over Daily and Buxton.

Claims 8, 9, 11, 13, 19-21, 23 and 24 also patentably distinguish over Daily and Buxton for the reasons discussed above. In addition, independent claim 8 further distinguishes over Daily and Buxton by reciting "the one or more interface elements oriented by the use orientation comprise at least one of a marking menu, a menu, a scrollbar, a tool palette, a pie menu, a gesture widget, a toolbar, and text; and wherein the other element of the user interface comprises at least one of a menu, a scrollbar, a taskbar, an element of a user shell, an element of a window manager, and an orient-less element." Daily merely discusses a number of windows which together make up the entire display available to the user and does not discuss any further details about interface elements which are recited in claim 8.

In addition, independent claim 13 further distinguishes over Daily and Buxton. Claim 13 recites "automatically orienting one of the elements of the user interface relative to a viewpoint of the determined user and keeping the other element viewpoints in place." Both Daily and Buxton are silent regarding "automatically orienting one of the elements of the user interface **relative to a viewpoint** of the determined user." Buxton, is merely related to a change in orientation of the display, not a viewpoint.

It is submitted that the independent claims distinguish over the cited references and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the cited references for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the cited references. As argued in the previous response on page 7, lines 1-3, claim 15 recites additional features not taught or suggested by the cited references. In particular, claim 15 recites "at least one other element of the user interface stays fixed within the user interface in spite of the orientings of the element." In other words, some elements can stay fixed in place relative to other elements. It is submitted that the dependent claims are independently patentable over the cited references.

Summary

It is submitted that the claims are not taught, disclosed or suggested by the cited references. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

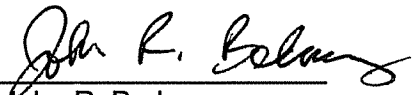
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 3-17-09

By: 

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